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Due Date: November 26, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ernest C. Chen et al.	Examiner:	Juan A. Torres
Serial No.:	10/068,039	Group Art Unit:	2631
Filed:	February 5, 2002	Docket:	PD-201148
Title:	PREPROCESSING SIGNAL LAYERS IN LAYERED MODULATION DIGITAL SIGNAL SYSTEM TO USE LEGACY RECEIVERS		

## CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on November 23, 2005.By:   
Name: Victor G. CooperNOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESMail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1, 2, 4, 5, 8, 11-23, 26, 29-34, 36, 37, and 39 of the above-identified application, as set forth in the Office Action mailed August 26, 2005.

Please charge the amount of \$500.00 to Deposit Account No. 50-0494 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b).

11/25/2005 ZJUHR1 00000049 500494 10068039

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Please charge any additional fees or credit any overpayment to Gates & Cooper LLP, Deposit  
Account No. 50-0494.

Respectfully submitted,

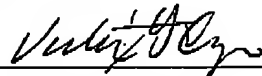
Ernest C. Chen et al.

By their attorneys,

GATES & COOPER LLP  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: November 23, 2005

VGC/bjs

By:   
Victor G. Cooper  
Reg. No.: 39,641

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FROM: Victor G. Cooper  
OUR REF.: PD-201148  
TELEPHONE: (310) 642-4142

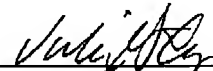
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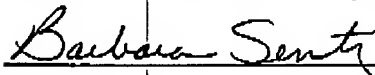
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Title of Document Transmitted:	TRANSMITTAL SHEETS AND NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES.
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Our Ref. No.:	PD-201148

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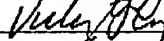
We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
- ☒ Notice of Appeal.
- ☒ Charge the Fee for the Notice of Appeal in the amount of \$500.00 to the Deposit Account.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

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Customer Number 22462  
**GATES & COOPER LLP**  
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Name: Victor G. Cooper  
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